

CHAPTER NO. 71

HOUSE BILL NO. 2103

By Representative Montgomery

Substituted for: Senate Bill No. 2061

By Senator Clabough

AN ACT to amend Chapter 104 of the Private Acts of 1998, relative to providing for an elected clerk of the General Sessions Court of Sevier County and the assignment of clerking duties for the General Sessions Court of Sevier County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 104 of the Private Acts of 1998 is amended by adding the following as a new section to be inserted immediately after Section 3 and renumbering the remaining Sections accordingly:

SECTION 4.

(a) At the regular August election in 2002 and every four (4) years thereafter, the qualified voters of Sevier County shall elect a General Sessions Court Clerk. The General Sessions Court Clerk shall take office on September 1 immediately following the election and shall serve a term of four (4) years and until a successor is elected and qualified. Before entering into the duties of the office, the General Sessions Court Clerk shall take an oath of office and post an official bond in the same manner as provided by general law for the clerk of the circuit court. The General Sessions Court Clerk shall perform all clerking duties relative to the General Sessions Court of Sevier County, including all matters within the jurisdiction of said court, except duties relative to the probate of wills and administration of decedent's estates. The compensation of the General Sessions Court Clerk shall be determined according to general law.

(b) Clerking duties relative to the jurisdiction of the General Sessions Court of Sevier County over the probate of wills and administration of decedent's estates shall continue to be performed by the County Clerk of Sevier County.

(c) All records of the General Sessions Court of Sevier County, other than records pertaining to the probate of wills and administration of decedent's estates, shall be transferred to the custody of the General Sessions Court Clerk as soon as is practicable after the approval of this act.

SECTION 2. On September 1, 2002 the Circuit Court Clerk is divested of all jurisdiction granted to the General Sessions Court Clerk of Sevier County by the provisions of this act.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the secretary of state.


SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

PASSED: January 31, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 6th day of February 2002


DON SUNDQUIST, GOVERNOR